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THE CITY OF NEW YORK

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February 6, 2008

BY FACSIMILEHon. Denny Chin
United States District Judge
United States District Court
500 Pearl Street, Room 1020
New York, New York 10007Re: Aneita Henry-Lee v. City of New York, et al., 08-CV-0089 (DC)

Your Honor:

We write in response to plaintiff's letter of yesterday's date. While we do not wish to belabor the obvious, plaintiff's contention that the City can prepare an answer by "conferring with the defendant police officers" is simply wrong. The City must investigate the incident that is the subject of the complaint before it can even determine whether it will represent the individual officer-defendants. If representation is approved, then our office can "confer" with the defendants about the lawsuit; if representation is denied, then we cannot do that. See Gen. Mun. Law, § 50-k. The requested extension is necessary for the City to undertake the steps necessary to determine representation, among other things. In addition, contrary to the representation in counsel's letter, neither he nor anyone from his office stated a firm position on my request; instead I was advised to wait for a return call. We thank Your Honor for considering the foregoing.

Defendants' time to answer
or otherwise respond to the
complaint is extended
until April 4, 2008.

Respectfully submitted,

Arthur G. Larkin (AL 9059)
Assistant Corporation Counsel

AGL/m

SO ORDERED.

cc: The Adam Law Office, P.C. (by facsimile)

WDJ
2/6/08